



Action Agenda

Board of Commissioners
May 8, 2014
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on May 8, 2014 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Steve Brown, Chairman
David Barlow
Allen McCarty
Randy Ognio

Commissioner Absent:

Charles Oddo, Vice Chairman

Staff Present:

Steve Rapson, County Administrator
Floyd L. Jones, County Clerk
Tameca P. White, Deputy County Clerk
Dennis Davenport, County Attorney

Call to Order, Invocation, and Pledge of Allegiance

Chairman Brown called the May 8, 2014 Board of Commissioners meeting to order at 7:02 p.m.

Commissioner Barlow gave a short PowerPoint presentation on the Supreme Court's ruling allowing elected bodies to hold invocations at the beginning of their meetings. He then introduced Mr. Paul Shultz, a practicing Buddhist, who explained what Buddhist's believe and who offered a Buddhist chant.

Chairman Brown led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Brown moved to accept the Agenda as written with two additional items, adding New Business Item #17 as a Code Enforcement issue for a Noise Disturbance Permit for the Sams School and New Business Item #18 as a Code Enforcement issue for a Noise Disturbance Permit for Kathy McCoy. Commissioner McCarty seconded the motion. The motion passed 4-0-1 with Commissioner Oddo being absent from the meeting.

PROCLAMATION / RECOGNITION:

1. Proclamation of Saturday, May 17, 2014 as "Armed Forces Day in Fayette County."

Commissioner McCarty read the proclamation declaring May 17, 2014 as "Armed Forces Day in Fayette County."

2. Recognition of six outgoing Fayette County Development Authority Board Members.

Chairman Brown recognized the six outgoing Fayette County Development Authority Board members. Since many of the members could not attend the meeting, Ms. Emily Poole of the Fayette County Development Authority accepted the recognition on their behalf.

3. Proclamation to be presented to the Fayette County Farm Bureau recognizing Tuesday, May 13, 2014 as Farmer Appreciation Day.

Commissioner Barlow read the proclamation of May 13, 2014 as Farmer Appreciation Day.

4. Recognition of Andrew Fleming, a local 7-year-old, who will host a food drive for Fayette Samaritans on Saturday, May 10, 2014.

Commissioner McCarty recognized Andrew Fleming on behalf of the Board.

5. Recognition of the J.C. Booth Middle School's Science Olympiad Team's state championship win.

Chairman Brown recognized the J.C. Booth Middle School's Science Olympiad Team for its state championship win.

PUBLIC HEARING:

There were no items for Public Hearing.

CONSENT AGENDA:

Commissioner Barlow moved to accept the Consent Agenda. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent from the meeting.

6. Approval of Resolution 2014-12 adopting the "Fayette County 2013 Annual Report on Fire Services Impact Fees (FY2013), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2014-FY2018)."

7. Approval of staff's recommendation to award annual Bid #872 to E.R. Snell Contracting of Tyrone, in an amount not to exceed \$1,643,319.00, for the purchase of asphalt for Fiscal Year 2015.

OLD BUSINESS:

8. Discussion of recommendations from the Planning and Zoning Department and the Planning Commission concerning amendments to the Comprehensive Plan, Land Use Plan Map and the Zoning Ordinance for the area along the State Route 74 South Corridor.

Community Development Director Pete Frisina briefed the Board and answered questions on this matter. Mr. Frank Gardner commented on this matter.

The Board directed Mr. Frisina and staff to proceed with taking the recommendations through the public hearings process. The Board did not take a formal vote on this matter.

NEW BUSINESS:

9. Consideration of Zane and Audrey Ardis' request to amend the Agricultural-Residential (A-R) Zoning District to allow weddings and events as a Conditional Use.

Zane and Audrey Ardis spoke to the Board and answered questions about their request. Community Development Director Pete Frisina provided recommended actions in respect to the request. Mr. Rick Minter also spoke in favor of this matter.

The Board directed Mr. Frisina and staff to review the request and to include the Farm Bureau in its review. The Board did not take a formal vote on this matter.

10. Consideration of a citizen's request to amend the Fayette County Code and Zoning Ordinance concerning Farmers Markets, Flea Markets and Craft Fairs.

This item was not considered by the Board since the citizen had conveyed to County staff that he did not intend to bring this issue to the Board at the May 8, 2014 Board of Commissioners meeting. The Board did not provide direction and did not take action on this request.

11. Recognition of Dr. William Adcox and Dr. Brian K. Nadolne regarding their work in promoting total health.

Commissioner Barlow introduced Dr. William Adcox and Dr. Brian K. Nadolne who spoke about their work in promoting total health. The Board did not take any action and did not provide direction in this matter.

12. Consideration of a request from the Georgia Department of Transportation for an intersection improvement at Harp Road, Seay Road and State Route 92 and approval for the Chairman to sign the letter of support (GDOT PI 0009972).

Public Works Director Phil Mallon discussed the request from the Georgia Department of Transportation with the Board. Mr. Bo Mullins asked about future plans to four-lane State Route 92.

Commissioner Barlow moved to accept the request from the Georgia Department of Transportation for an intersection improvement of Harp Road, Seay Road and State Route 92 and approval for the Chairman to sign the letter of support (GDOT PI 0009972). Commissioner McCarty seconded the motion. Discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent from the vote.

- 13. Consideration of staff's recommendation to approve a request from Fayetteville First Baptist Church for a curb cut on the access drive to the Sheriff's Office and to provide an easement to the church for the driveway cut with the church being responsible for maintaining the driveway cut.**

Mr. Bo Mullins, representing Fayetteville First Baptist Church, made a request for a curb cut on the access drive to the Sheriff's Office. The Board asked Mr. Mullins to the church to work with county staff to put the proposal on the map and to present the proposal to the Board for a formal vote. The Board did not take a formal vote on this matter.

- 14. Consideration of staff's recommendation to adopt Ordinance 2014-09 pertaining to Chapter 13 of the Fayette County Code of Ordinances concerning Pawnbrokers, Dealers in Precious Metals and Gems, and Flea Market Operators.**

Code Enforcement Officer Kathy Hobbs spoke to the Board about staff's recommendation to adopt Ordinance 2014-09, and she asked that the enactment date be changed to January 1, 2015.

Chairman Brown moved to adopt Ordinance 2014-09 pertaining to Chapter 13 of the Fayette County Code of Ordinances concerning Pawnbrokers, Dealers of Precious Metals and Gems, and Flea Market Operators with an extension granted to January 2015 for electronic reporting compliance. Commissioners McCarty and Barlow seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent from the meeting.

- 15. Consideration of the April 9, 2014 Joint Meeting Minutes of the Fayette County's Board of Commissioners and the City of Fayetteville's City Council, and consideration of the April 10, 2014 Board of Commissioners Meeting Minutes. Commissioners McCarty and Ognio were not present for these meetings.**

Chairman Brown pointed out that there was not an available quorum able to vote on these minutes due to Commissioner Oddo's absence.

Commissioner Ognio moved to table the April 9, 2014 Minutes and the April 10, 2014 Minutes to the next available Board of Commissioners meeting. Commissioner Barlow seconded the motion. The motion passed 4-0-1 with Commissioner Oddo being absent.

- 16. Consideration of the April 24, 2014 Board of Commissioners Meeting Minutes. Commissioner Oddo was not present for this meeting.**

Commissioner McCarty moved to approve the April 24, 2014 Board of Commissioners Meeting Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent.

- 17. Approval of staff's recommendation to approve a Noise Disturbance Permit for the Sam's School, located at 508 Antioch Road, Fayetteville, Georgia, with said permit to be effective on Saturday, May 17, 2014 from 6:00 p.m. until midnight.**

County Administrator Steve Rapson spoke about the Noise Disturbance Permit for the Sam's School and for Kathy McCoy, and he informed the Board that a third permit request was received by the county this morning. He briefed the Board on how permits were approved in the past and the need to bring these requests to the Board, and he asked the Board to consider giving him temporary authority to approve noise disturbance permits until the ordinance could be changed. He added that the permits had been reviewed and agreed to by the Sheriff's Office and the Code Enforcement Department.

Commissioner McCarty moved to approve the Noise Disturbance Permit as read. Commissioners Ognio and Barlow seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent.

18. Approval of staff's recommendation to approve a Noise Disturbance Permit for Kathy McCoy for a five-acre home located at 1373 Highway 85 North, with said permit to be effective on Friday, May 16, 2014 from 7:00 p.m. until 11:00 p.m.

Commissioner Ognio moved to approve a Noise Disturbance Permit for Kathy McCoy for a five-acre home located at 1373 Highway 85 North, with said permit to be effective on Friday, May 16, 2014 from 7:00 p.m. until 11:00 p.m. Commissioners Barlow and McCarty seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent.

Chairman Brown moved to authorize the County Administrator the administrative authority for thirty days to approve Noise Disturbance Permits without coming to the Board of Commissioners for approval. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent.

PUBLIC COMMENT:

No one spoke under Public Comment.

ADMINISTRATOR'S REPORTS:

Recreation Commission: County Administrator Steve Rapson informed the Board that there were two vacancies on the Recreation Commission, that they have not been advertised yet, and that historically the vacancies are based on the district posts, and that those posts belong to Commissioners Ognio and McCarty. Chairman Brown and Commissioner Ognio agreed to serve on the Selection Committee for the Recreation Commission.

Hospital Authority: County Administrator Steve Rapson informed the Board that three positions were becoming vacant, but based on how the Authority was established; the Board would interview applicants and make selections that would be sent to the Hospital Authority. He stated that the Hospital Authority would validate the positions. He also suggested allowing Mr. Michael Burnett, Chief Executive Officer of Piedmont Fayette Hospital, to participate with the Selection Committee since he would make the recommendations to the Hospital Authority. The Board agreed to have Chairman Brown and Commissioner Barlow on the Selection Committee and for Mr. Burnett to participate with the Selection Committee in interviewing applicants.

Budget Calendar: County Administrator Steve Rapson spoke about the dates established for the budget calendar, and he said the budget would come to the Board of Commissioners on June 5, 2014.

ATTORNEY'S REPORTS:

March 27, 2014 Executive Session Minutes: Assistant County Attorney Patrick Stough informed the Board that the March 27, 2014 Executive Session Minutes needed to be reviewed in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow commended Deputy County Clerk Tameca White and County Clerk Floyd Jones for the continuing use of technology during the meetings. He also thanked the people for coming to the meeting. Commissioner Barlow commented on the Supreme Court's ruling allowing prayer at county and city meetings.

Commissioner Ognio: Commissioner Ognio reminded everyone that early voting had begun and that early voting would be held on Saturday. He asked everyone to do their homework and to vote.

Commissioner McCarty: Commissioner McCarty thanked everyone for coming to the meeting, and he said it was great to serve the people of Fayette County.

Chairman Brown: Chairman Brown spoke about the unveiling of two art projects that are at the back of the building. He stated that Fayette County High School took some images of all the different cities and high schools and put them on the billboards that formerly had pictures that were aged and deteriorating. He thanked Graphic Signs, Incorporated for giving professional services and for donating their work, and he thanked them for their contribution in keeping the county's history alive. Chairman Brown also read a letter from Commissioner Oddo into the record.

EXECUTIVE SESSION:

Review of the March 27, 2014 Executive Session Minutes: Chairman Brown moved to recess into Executive Session to review the March 27, 2014 Board of Commissioners Executive Session Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent.

The Board recessed into Executive Session at 8:48 p.m. and returned to Official Session at 8:54 p.m.

Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and to authorize the Chairman to sign an Executive Session Affidavit. Commissioners McCarty and Barlow seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent.

Approval of the March 27, 2014 Executive Session Minutes: Chairman Brown moved to approve the March 27, 2014 Executive Session Minutes as amended. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 3-0-2 with Commissioner McCarty abstaining from the vote and Commissioner Oddo being absent.

ADJOURNMENT:

Commissioners McCarty and Barlow moved to adjourn the May 8, 2014 Board of Commissioners meeting. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo being absent.

The May 8, 2014 Board of Commissioners meeting was adjourned at 8:55 p.m.

Floyd L. Jones, County Clerk